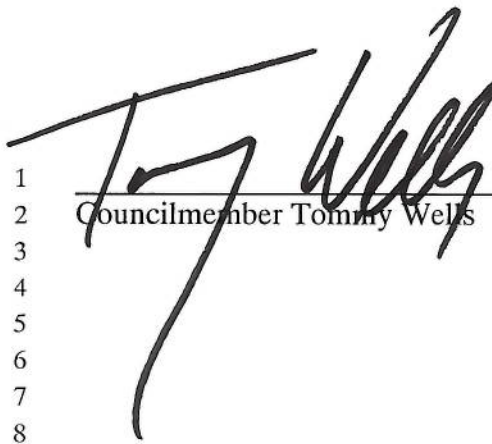


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Councilmember Tommy Wells



Chairman Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson introduced the following bill which was referred to the Committee on

_____.

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 to carry a concealed pistol, to specify the duration of such licenses and certain requirements for renewal of licenses, to outline 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 and specify the term and other requirements for the Board, to provide a Freedom of Information Act exception; to specify penalties, to require the Mayor to issue rules, and to make other technical changes; 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 permit the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "License to Carry a Pistol Amendment Act of 2014".

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85, D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

1 (a) Section 201(b)(4) (D.C. Official Code § 7-2502.01(b)(4)) is amended by striking the
2 phrase “the home” and inserting the phrase “the home or place of business” in its place.

3 (b) Section 202(a)(4)(C) (D.C. Official Code § 7-2502.02(a)(4)(C)) is amended to read
4 as follows:

5 “(C) Any person who seeks to register a pistol:

6 “(1) For use in self-defense within that person’s home or place of business; or

7 “(2) As part of the application process for a license to carry a concealed pistol
8 pursuant to section 902; or”.

9 (c) New section 211a is added to read as follows:

10 “Sec. 211a. Freedom of information exception.

11 “Any record regarding individuals who have applied, received, or had revoked any
12 registration issued pursuant to this title shall not be made available as a public record under
13 section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-
14 96; D.C. Official Code § 2-532).”.

15 (d) Section 706(a) (D.C. Official Code § 7-2507.06(a)) is amended by striking the phrase
16 “Except as provided in sections 205, 208, 702, and 807” and inserting the phrase “Except as
17 provided in sections 205, 208, 702, 807, and Title IX” in its place.

18 (e) A new Title IX is added to read as follows:

19 “TITLE IX – LICENSES TO CARRY A PISTOL.

20 “Sec. 901. Definitions.

21 “For purposes of this title:

1 “(1) “Concealed pistol” means a loaded or unloaded pistol carried on or about a person
2 entirely hidden from view of the public, or carried on or about a person in a vehicle in such a
3 way as it is entirely hidden from view of the public.

4 “(2) “Law enforcement officer” means a sworn member of the Metropolitan Police
5 Department (MPD) or of any other law enforcement agency operating and authorized to make
6 arrests in the District of Columbia, and includes any MPD reserve officer, any special police
7 officers appointed pursuant to An Act Making appropriations to provide for the expenses of the
8 government of the District of Columbia for the fiscal year ending June thirtieth, nineteen
9 hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-
10 129.02), and campus and university special police officers appointed pursuant to the College and
11 University Campus Security Amendment Act of 1995, effective October 18, 1995 (D.C. Law 11-
12 63; 6A DCMR § 1200.1 *et seq.*).

13 “(3) “License” means a license to carry a concealed pistol issued pursuant to Title 22.

14 “(4) “Licensee” means a person who has been issued a license pursuant to Title 22.

15 “(5) “Title 22” means section 6 of An Act To control the possession, sale, transfer and
16 use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to
17 prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C.
18 Official Code § 22-4506).

19 “Sec. 902. Application requirements.

20 “(a) A person who submits an application pursuant to Title 22 shall certify and
21 demonstrate to the satisfaction of the Chief that he or she:

22 “(1) Is at least 21 years of age;

1 “(2) Meets all of the requirements for a person registering a firearm pursuant to
2 this act, and has obtained a registration certificate for the pistol that the person is applying to
3 carry concealed;

4 “(3) Does not currently suffer nor has suffered in the previous 5 years from any
5 mental illness or condition that creates a substantial risk that he or she is a danger to himself or
6 herself or others;

7 “(4) Has completed a firearms training course, or combination of courses,
8 conducted by an instructor (or instructors) certified by the Chief that includes at least 16 hours of
9 training, and covers the following:

10 “(A) Firearm safety;

11 “(B) Firearm nomenclature;

12 “(C) The basic principles of marksmanship;

13 “(D) The care, cleaning, maintenance, loading, unloading, and storage of
14 pistols;

15 “(E) Situational awareness, conflict management, and moral and ethical
16 decisions on the use of deadly force;

17 “(F) Defensive pistol and ammunition selection; and

18 “(G) All applicable District and federal firearms laws, including the
19 requirements of this act, An Act To control the possession, sale, transfer and use of pistols and
20 other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of
21 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-
22 4501 *et seq.*), and District law pertaining to self-defense;

1 “(5) Has completed at least 2 hours of range training conducted by an instructor
2 certified by the Chief, including shooting a qualification course of 50 rounds of ammunition
3 from a maximum distance of 15 yards (45 feet); and

4 “(6) Follows any procedures the Chief may establish by rule.

5 “(b) An applicant shall satisfy the requirements of subsection (a)(4) and (5) of this
6 section with a certification from the firearms instructor that:

7 “(1) The applicant demonstrated satisfactory completion of the requirement; and

8 “(2) The applicant possesses the proper knowledge, skills, and attitude to carry a
9 concealed pistol.

10 “(c) An applicant shall be exempt from the requirements of subsection (a)(4) and (5) of
11 this section if he or she has submitted evidence that he or she has received firearms training in
12 the United States military, or has otherwise completed firearms training conducted by a firearms
13 instructor that, as determined by the Chief, is equal to or greater than that required under
14 subsection (a)(4) and (5) of this section.

15 “(d) A non-resident applicant for a license may satisfy any component of the
16 requirements of subsection (a)(4) and (5) of this section by demonstrating to the satisfaction of
17 the Chief that the applicant has met that particular component as part of a successful application
18 to carry a pistol concealed upon his or her person issued by the lawful authorities of any state or
19 subdivision of the United States.

20 “(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the
21 information required by Title 22 and this section.

22 “(2) Any declaration, certificate, verification, or statement made for purposes of
23 an application for a license to carry a concealed pistol pursuant to this act shall be made under

1 penalty of perjury pursuant to section 401 of the District of Columbia Theft and White Collar
2 Crime Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Code § 22-2402).

3 “(f) An applicant is required to appear for an in-person interview at the Metropolitan
4 Police Department headquarters, for purposes including verification of the applicant’s identity
5 and verification of the information submitted as part of the application process for a license.

6 “Sec. 903. Expiration and renewal of licenses.

7 “(a) Licenses shall expire no later than 2 years after the date of issuance unless revoked
8 by the Chief or renewed pursuant to this title.

9 “(b)(1) A licensee shall be eligible for renewal of a license if:

10 “(A) The licensee continues to meet all of the initial standards and
11 application requirements set forth in Title 22 and section 902, except that with regard to section
12 902(a)(4), only 4 hours of such training shall be required;

13 “(B) With regard to section 902(a)(5), the licensee provides proof of 2
14 hours of range practice within the previous 12 months; and

15 “(C) Follows any procedures the Chief may establish by rule.

16 “(2) Timely renewal shall be the responsibility of the licensee, pursuant to any
17 procedures the Chief may establish by rule.

18 “(3) A renewal license shall expire no later than 2 years after the date of issuance
19 unless revoked by the Chief or renewed pursuant to this act.

20 “(c) Any person whose renewal application has been denied may, within 15 days of
21 notice of the denial, appeal to the Concealed Pistol Licensing Review Board established pursuant
22 to section 908.

23 “Sec. 904. Duties of licensees.

1 “(a) A licensee shall:

2 “(1) Notify the Chief in writing of the loss, theft, or destruction of the license
3 (including the circumstances if known) immediately upon discovery of such loss, theft, or
4 destruction; and

5 “(2) Notify the Chief in writing within 30 days of a change in the licensee’s name
6 or address as it appears on the license.

7 “(b) A licensee shall have on or about his or her person each time the pistol is carried in
8 the District of Columbia:

9 “(1) The license; and

10 “(2) The registration certificate for the pistol being carried, issued pursuant to this
11 act.

12 “(c) If a law enforcement officer initiates an investigative stop of a person carrying a
13 concealed pistol pursuant to Title 22, the person, and any other licensee who is with the person at
14 the time of the investigative stop, shall:

15 “(1) Disclose to the officer that he or she is carrying a concealed pistol pursuant
16 to Title 22;

17 “(2) Present the license and registration certificate;

18 “(3) Identify the location of the concealed pistol; and

19 “(4) Comply with all lawful orders and directions from the officer, including
20 allowing a pat down of his or her person and permitting the law enforcement officer to take
21 possession of the pistol for so long as is necessary for the safety of the officer or the public.

22 “(d) A licensee shall comply with all limits and conditions stated in the issuance of the
23 license.

1 “(e) The duties set forth in this section are in addition to any other requirements imposed
2 by this act or applicable law.

3 “(f) In addition to any other penalty in the law, any person who violates subsection (c) of
4 this section shall be subject to revocation of his or her license.

5 “Sec. 905. Revocation of Licenses.

6 “(a) The Chief may revoke a license upon a finding that the licensee no longer meets the
7 standards and requirements of Title 22 and this title, or as a penalty as specified in this act.

8 “(b) The United States Attorney for the District of Columbia, the Attorney General for
9 the District of Columbia, or any person may apply to the Metropolitan Police Department at any
10 time for revocation of a license. Any person having knowledge that a licensee no longer meets
11 the requirements of this act or the requirements of Title 22 may so notify the Chief or any other
12 law enforcement officer who may take such action as may be appropriate.

13 “(c) Any person whose license has been revoked may, within 15 days of notice of the
14 revocation, appeal to the Concealed Pistol Licensing Review Board established pursuant to
15 section 908.

16 “Sec. 906. Carrying while impaired.

17 “(a) A licensee may not carry a pistol while impaired.

18 “(b) In addition to any other penalty in the law, any person who violates this section
19 shall be subject to revocation of his or her license.

20 “(c) Upon establishing reasonable suspicion that a licensee has been consuming drugs or
21 alcohol, a licensee’s failure to submit to one or more field sobriety, breathalyzer, or urine tests,
22 administered to determine whether the licensee is impaired while carrying a pistol, shall be
23 grounds for immediate revocation and seizure of the license.

1 “(d) For the purposes of this section, “impaired” means a licensee has consumed alcohol
2 or a drug or a combination thereof and that it has affected the licensee’s behavior in a way that
3 can be perceived or noticed.

4 “Sec. 907. Prohibitions on carrying licensed pistols.

5 “(a) No person holding a license shall carry a pistol in the following locations or under
6 the following circumstances:

7 “(1) Any building owned or under the control of the District of Columbia, its
8 agencies, and instrumentalities;

9 “(2) The building and grounds, including any adjacent parking lot, of any public,
10 public charter, or private elementary or secondary school; or any public or private college or
11 university;

12 “(3) Any pre-school or child care facility;

13 “(4) Any public or private hospital, or other building where medical or mental
14 health services are the primary services provided;

15 “(5) Any penal institution, secure juvenile residential facility, and any halfway
16 house;

17 “(6) Any public transportation vehicle, such as a bus, train, taxicab, streetcar, and
18 including the Metrorail Transit system, but not including vehicles without passengers such as
19 bicycles, and not including the vehicle operators unless prohibited by his or her employer;

20 “(7) Any premises or portion thereof, licensed under Title 25 of the District of
21 Columbia Official Code, where alcoholic beverages are served, or are sold and consumed on
22 premises, but not including premises with small-sample tasting permits;

1 “(8) Any public gathering or special event conducted on property open to the
2 public that requires the issuance of a permit from the District or federal government or their
3 agencies or instrumentalities, provided that no criminal penalty shall apply unless:

4 “(A) The licensee has been advised by a law enforcement officer that
5 such a public gathering or special event is occurring; and

6 “(B) The licensee has been ordered by the law enforcement officer to
7 leave the area of the special event or gathering until the licensee removes the pistol from his or
8 her possession in compliance with applicable law and the licensee has not complied with the
9 order;

10 “(9) Any stadium or arena;

11 “(10) The public memorials on the National Mall and along the Tidal Basin, and
12 any area where firearms are prohibited under federal law or by a federal agency or entity;

13 “(11) The area around the White House, namely: between Constitution Avenue
14 and H Street and between 15th and 17th Streets, all Northwest;

15 “(12) Within 1,000 feet, or other lesser distance designated by the Chief or his or
16 her designee, when a dignitary or high ranking official of the United States or a state, local, or
17 foreign government is moving under the protection of the Metropolitan Police Department
18 (“MPD”), or other law enforcement agency assisting or working in concert with MPD, provided
19 that no criminal penalty shall apply unless:

20 “(A) The licensee has been advised by a law enforcement officer that
21 such a dignitary or official movement is occurring; and

1 “(B) The licensee has been ordered by the law enforcement officer to
2 leave the area of the movement until the licensee removes the pistol from his or her possession in
3 compliance with applicable law and the licensee has not complied with the order;

4 “(13) Within 1,000 feet, or other lesser distance designated by the Chief or his or
5 her designee, of a demonstration in a public place, provided that no criminal penalty shall apply
6 unless:

7 “(A) The licensee has been advised by a law enforcement officer that a
8 demonstration is occurring at the public place; and

9 “(B) The licensee has been ordered by the law enforcement officer to
10 leave the area of the demonstration until the licensee removes the pistol from his or her
11 possession in compliance with applicable law and the licensee has not complied with the order;
12 and

13 “(14) Any prohibited circumstance that the Chief determines by rule, provided
14 that for spontaneous circumstances, no criminal penalty shall apply unless the licensee has notice
15 of the prohibition and has failed to comply.

16 “(b)(1) Any private residence shall be presumed to prohibit the presence of concealed
17 pistols unless otherwise authorized by the property owner or person in control of the premises
18 and communicated personally to the licensee in advance of entry onto the residential property.

19 “(2) For 90 days immediately following the effective date of the License to Carry
20 a Pistol Emergency Amendment Act of 2014, passed on an emergency basis on September 23,
21 2014 (Enrolled version of Bill 20-X), for any private property not a residence, the owner or
22 person in control of the property shall be presumed to prohibit the presence of concealed pistols
23 unless the owner or person in control of the property authorizes entry by a licensee carrying a

1 pistol; thereafter, for any private property not a residence, the owner or person in control of the
2 private property shall be presumed to permit a licensee carrying a pistol to enter the owner's
3 property unless the property is posted with conspicuous signage prohibiting concealed pistols, or
4 the owner or authorized agent communicates such prohibition personally to the licensee.

5 “(c) Whenever a licensee carries a concealed pistol and approaches any prohibited
6 location, or is subject to any prohibited circumstance, the licensee shall:

7 “(1) If the licensee is in a vehicle or if a vehicle is readily available, immediately
8 secure the pistol in the manner prescribed in section 4b(b) of An Act To control the possession,
9 sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to
10 provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932
11 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*); or

12 “(2) If the licensee does not have a vehicle available, immediately leave the
13 prohibited location or circumstance.

14 “(d) A licensee shall not be in violation of this section:

15 “(1) While he or she is traveling along any public street, road, or highway
16 (including any adjacent public sidewalk) that touches the perimeter of any of the premises under
17 subsection (a) of this section or that are prohibited under subsection (b) of this section if the
18 concealed pistol is carried on his or her person in accordance with this act, or is being transported
19 by the licensee in accordance with section 4b of An Act To control the possession, sale, transfer
20 and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties,
21 to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C.
22 Official Code § 22-4504.02); or

1 “(2) While driving a vehicle into and immediately parking at any location listed
2 in subsection (a)(2) or (3) of this section, for the purpose of picking up or dropping off a minor
3 child, provided that the licensee shall secure the concealed weapon in accordance with section
4 4b(b) of An Act To control the possession, sale, transfer and use of pistols and other dangerous
5 weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for
6 other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4504.02(b)) prior
7 to leaving the parked vehicle.

8 “(e) A licensee shall not carry a pistol openly or otherwise in a manner that is not
9 concealed.

10 “(f) In addition to any other penalty in the law, any person who violates this section shall
11 be subject to revocation of his or her license.

12 “(g) For the purposes of this section:

13 “(1) “Demonstration” means one or more persons demonstrating, picketing,
14 speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves
15 the communication or expression of views or grievances and that has the effect, intent, or
16 propensity to attract a crowd or onlookers. “Demonstration” does not include the casual use of
17 property by visitors or tourists that does not have the effect, intent, or propensity to attract a
18 crowd or onlookers.

19 “(2) “Public place” means a place to which the general public has access and a
20 right to occupy for business, entertainment, or other lawful purpose. “Public place” is not
21 limited to a place devoted solely to the uses of the public, and includes:

22 “(A) The front or immediate area or parking lot of a store, restaurant,
23 tavern, shopping center, or other place of business;

1 “(B) A public building, including its grounds and curtilage;

2 “(C) A public parking lot;

3 “(D) A public street, sidewalk, or right-of-way;

4 “(E) A public park; and

5 “(F) Other public grounds.

6 “(3) “Residence” means an actual dwelling place or abode, and does not include
7 any adjacent common areas or commercial property.”.

8 “Sec. 908. Concealed Pistol Licensing Review Board.

9 “(a) There is established a Concealed Pistol Licensing Review Board (“Board”) for the
10 purpose of hearing appeals from:

11 “(1) A denial of any application or renewal application for a license to carry a
12 concealed pistol in the District pursuant to this act, or

13 “(2) A revocation of a license to carry a concealed pistol.

14 “(b) The Board’s membership shall be comprised as follows:

15 “(1) A mental health professional employed by the Department of Behavioral
16 Health, appointed by the Mayor;

17 “(2) A representative from the Office of the Attorney General for the District of
18 Columbia, appointed by the Attorney General;

19 “(3) A representative from the United States Attorney’s Office for the District of
20 Columbia (“USAO”), appointed by the United States Attorney for the District of Columbia. If
21 the USAO declines to provide a representative, the Mayor shall appoint a person who is a former
22 employee of the USAO;

1 “(4) The Chief Judge of the Superior Court of the District of Columbia or his or
2 her designee, or if the Chief Judge declines to serve or appoint a designee, a person appointed by
3 the Mayor who is a retired judge of the Superior Court of the District of Columbia; and

4 “(5) One public member appointed by the Mayor, who shall be a current or
5 former sworn officer of a law enforcement agency other than the Metropolitan Police
6 Department.

7 “(c) Each member shall serve a 4-year term.

8 “(d) The initial terms shall begin on the date a majority of the members have
9 been sworn in, which shall become the anniversary date for all subsequent appointments.
10

11 “(e) A vacancy on the Board shall be filled in the same manner in which the original
12 appointment was made.
13

14 “(f) A Board member whose term has expired may continue to serve as a member until a
15 replacement member has been appointed.

16 “(g) A member appointed to replace a member who has resigned, dies, or is no longer
17 able to serve (as determined by the Board) shall serve for the remainder of the unexpired term of
18 the member being replaced.

19 “(h) The Board shall elect a chairperson by majority vote on an annual basis.

20 “(i) Three members of the Board shall constitute a quorum, except that the Board may
21 only take official action when at least one of the following members is present:

22 “(1) The representative from the Office of the Attorney General for the District of
23 Columbia designated pursuant to subsection (b)(2) of this section;

24 “(2) The representative from the United States Attorney’s Office for the District
25 of Columbia designated pursuant to subsection (b)(3) of this section; or

1 “(3) The current or former sworn officer of a law enforcement agency other than
2 the Metropolitan Police Department representative designated pursuant to subsection (b)(5) of
3 this section.

4 “(j) Members shall serve without compensation, but shall receive actual and necessary
5 expenses incurred in the performance of their official duties.

6 “(k) The Mayor shall provide hearing facilities and administrative support for the Board
7 from existing resources for the current fiscal year.

8 “(l)(1) Within 30 days after the date that a majority of the Board members are sworn in
9 pursuant to subsection (d) of this section, the Mayor, by rule, shall establish hearing procedures
10 for a contested case review of any appeal from a denial of an application or renewal application
11 for a license or revocation of a license, including procedures for the Board to assign panels of 3
12 Board members to conduct such hearings pursuant to subsection (i) of this section.

13 “(2) The rules shall include that the burden of production of evidence, and the
14 burden of persuasion, at any hearing before the Board shall be upon the applicant or licensee that
15 is challenging any denial of an application or renewal application or revocation of a license.

16 “(m) The meetings and hearings conducted by the Board shall be confidential and not
17 open to the public.

18 “Sec. 909. Freedom of information exception.

19 “Any record regarding individuals who have applied, received, or had revoked any
20 license shall not be made available as a public record under section 202 of the Freedom of
21 Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-
22 532).”.

23 “Sec. 910. Rules.

1 “(a) The Chief of the Metropolitan Police Department, pursuant to Title I of the District
2 of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.
3 Official Code § 2-501 *et seq.*), shall, by October 22, 2014, issue rules to implement the
4 provisions of this act, including rules:

5 “(1) To establish criteria for determining when an applicant has, pursuant to
6 section 6 of An Act To control the possession, sale, transfer and use of pistols and other
7 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of
8 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-
9 4506):

10 “(A) Demonstrated a good reason to fear injury to his or her person,
11 which shall at a minimum require a showing of a special need for self-protection distinguishable
12 from the general community as supported by evidence of specific threats or previous attacks
13 which demonstrate a special danger to the applicant’s life;

14 “(B) Demonstrated any other proper reason for carrying a concealed
15 pistol, which shall at a minimum include types of employment that require the handling of cash
16 or other valuable objects that may be transported upon the applicant’s person; and

17 “(C) Demonstrated the applicant’s suitability to carry a concealed pistol,
18 which shall at a minimum include evidence that the applicant meets the requirements of section
19 902;

20 “(2) To establish the type and amount of ammunition that may be carried
21 concealed by a licensee;

22 “(3) To establish the methods by which a pistol may be carried concealed
23 including any standards for safe holstering;

1 “(4) To establish all application forms, investigation procedures, background
2 checks, and fees necessary to process an application for a license;

3 “(5) To specify any procedures or requirements specific to non-residents, who
4 apply to carry a concealed pistol pursuant to Title 22, with regard to the registration requirements
5 in this act;

6 “(6) To specify requirements for signage on any private premises where the
7 owner or person in control of the premises prohibits carrying concealed pistols, pursuant to
8 section 907(b); and

9 “(7) To establish procedures for the renewal of licenses.

10 “Sec. 911. Penalties.

11 “(a)(1) Except as otherwise provided in this title, a person convicted of a violation of a
12 provision of this title, or rules or regulations issued under the authority of this title, shall be fined
13 not more than the amount set forth in section 101 of the Criminal Fine Proportionality
14 Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-
15 3571.01), or imprisoned for not more than 180 days.

16 (2) Civil fines, penalties, and fees may be imposed as alternative sanctions for
17 any infraction of the provisions of this title, or any rules or regulations issued under the
18 authority of this title.

19 “(b) All prosecutions for violations of this title shall be brought in the name of the
20 District of Columbia and prosecuted by the Office of the Attorney General for the District of
21 Columbia.

22 Sec. 3. An Act To control the possession, sale, transfer and use of pistols and other
23 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of

1 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-
2 4501 *et seq.*) is amended as follows:

3 (a) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows:

4 (1) The lead-in language is amended as follows:

5 (A) Strike the phrase “a pistol” and insert the phrase “a pistol, without a
6 license issued pursuant to District of Columbia law” in its place.

7 (B) Strike the phrase “capable of being so concealed”.

8 (2) Paragraph (1) is amended by striking the phrase “a pistol” and inserting the
9 phrase “a pistol, without a license issued therefor pursuant to District of Columbia law” in its
10 place.

11 (b) Section 6 (D.C. Official Code § 22-4506) is revived as of the effective date of the
12 “License to Carry a Pistol Emergency Amendment Act of 2014,” passed on an emergency basis
13 on September 23, 2014 (Enrolled version of Bill 20-X), and is amended to read as follows:

14 “Sec. 6. Issuance of a license to carry a pistol.

15 “(a) The Chief of the Metropolitan Police Department (“Chief”) may, upon the
16 application of any person having a bona fide residence or place of business within the District of
17 Columbia, or of any person having a bona fide residence or place of business within the United
18 States and a license to carry a pistol concealed upon his or her person issued by the lawful
19 authorities of any State or subdivision of the United States, issue a license to such person to carry
20 a pistol concealed upon his or her person within the District of Columbia for not more than 2
21 years from the date of issue, if it appears that the applicant has good reason to fear injury to his
22 or her person or property or has any other proper reason for carrying a pistol, and that he or she
23 is a suitable person to be so licensed.

1 “(b) A non-resident who lives in a state that does not require a license to carry a
2 concealed pistol may apply to the Chief for a license to carry a pistol concealed upon his or her
3 person within the District of Columbia for not more than 2 years from the date of issue, provided
4 he or she meets the same reasons and requirements set forth in subsection (a) of this section.

5 “(c) For any person issued a license pursuant to this section, or renewed pursuant to
6 section 903 of The Firearms Control Regulations Act of 1975, effective September 24, 1976
7 (D.C. Law 1-85, D.C. Official Code § 7-2501.01 *et seq.*), the Chief may limit the geographic
8 area, circumstances, or times of the day, week, month, or year in which the license is effective,
9 and may revoke the license for good cause.

10 “(d) The application for a license to carry shall be on a form prescribed by the Chief.
11 The license shall be in a form prescribed by the Chief and shall bear the name, address,
12 description, photograph, and signature of the licensee.

13 “(e) Any person whose application has been denied or license revoked may, within 15
14 days of notice of the denial, appeal to the Concealed Pistol Licensing Review Board established
15 pursuant to section 908 of The Firearms Control Regulations Act of 1975, effective September
16 24, 1976 (D.C. Law 1-85, D.C. Official Code § 7-2501.01 *et seq.*).”.

17 Sec. 4. Fiscal impact statement.

18 The Council adopts the fiscal impact statement in the committee report as the fiscal
19 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
20 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

21 Sec. 5. Effective date.

22 This act shall take effect following approval by the Mayor (or in the event of veto by the
23 Mayor, action by the Council to override the veto), a 60-day period of Congressional review as
24 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
25 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
26 Columbia Register.